

Oral History Cover Sheet

Name: Dave McMullen
Date of Interview: February 29, 2008
Location of Interview:
Interviewer: Jerry Grover

Approximate years worked for Fish and Wildlife Service: 27 ½ years

Offices and Field Stations Worked, Positions Held: U.S. Game Management Agent in Bellingham, Washington (position was in transition to U.S. Special Agent). In 1975 moved to Portland as a Special Agent still. Then in 1979 moved to Washington D.C. was still a Special Agent but worked as a Desk Officer until 1982. Moved to Twin Cities, Minnesota as Assistant Special Agent in Charge then in 1984 was selected to be Special Agent in Charge for Portland (Region 1) so moved there in early 1985. Retired from Region 1 as supervisor over Law Enforcement in 2001.

Most Important Projects: The start up of the wildlife forensics lab, case involving illegal harvesting of spring Chinook by Mary Settler.

Colleagues and Mentors: Clark Bavin, Bob Hodgins, Dick Myshak, K.C. Frederick, Dave Parrington, Al Misseldine, Larry Wills and Kahler Martinson.

Most Important Issues: Enforcing endangered species act, stopping hunting/feeding clubs in California from baiting to lure ducks in.

Brief Summary of Interview: Dave McMullen was born in Oregon City, Oregon and brought home to the small town of Marquam. He talks about his dad and his mom, how they met and where they lived. He talks about growing up and going to school, being interested in hunting and fishing and being the oldest of nine children, including his twin brother. He and his twin brother, Don, both went to college together and even majored in the same the degree. Dave talks about meeting his wife, having children and the jobs that he had before he went to the Service which included: Oregon Game Commission, then worked for The Research Division of the Oregon Game Commission as a Fisheries Research Biologist on Sport Fish, and then took a job as a Conservation Officer in Idaho and then having an investigative position with Idaho before being approach by the Fish and Wildlife Service. Dave talks about getting on with the Fish and Wildlife Service and different positions that he has had and some of the people that he worked with. He also talks about successes that he has had while working for the Service and some of the hardest things to do while in the Service such as providing adequate habitat for endangered species at the time of listing. Talks about different issues and projects, good changes that have occurred and things that have been disappointing to him such as politics getting involved in some the decisions of listing of endangered species. He also talks about starting up the forensics lab for the Service, his feelings for the Service and talks a little about his fishing tournament that is currently held every year.

Jerry: Good Morning. This is Jerry Grover; I'm doing an interview with Dave McMullen. I will be the narrator on the, on this oral history interview. Dave would you state your name for the record.

Dave: My full name or?

Jerry: Yeah.

Dave: It's Dave L. McMullen.

Jerry: Where were you born and when?

Dave: I was born in Oregon City, Oregon in July of 1944, July 16.

Jerry: It's the same as my wife's birthday.

Florence: Oh we know that.

Dave: And I was the oldest of identical twins, I have a twin brother named Don. And we were the oldest of nine children.

Jerry: What your folks do down there?

Dave: My dad was an independent truck driver, he owned one, a single log truck most of the time. And we referred to as a (unclear) logger and he'd haul logs here in Oregon. He was born in Kansas but when he was a young man, in his late teens early twenties, he hiked, during the depression; he hiked to Oregon with a friend to Lakeview, Oregon. And was offered a job as a truck driver, he told them he could drive a truck which he never had. They only had one job so he and his friend flipped a coin and dad won and dad gave his friend everything he had I think a quarter and some other things and the guy,

they were originally heading for Alaska and as far as we know the other man went to Alaska. But dad stayed in Lakeview and stayed there for ten years driving truck.

Jerry: And then when, when did your mom come into the picture?

Dave: About, after about ten years later my mother was ten years younger than dad. When they married he had moved up to the Portland area, Klamath Valley, and he met mother, she was from Canby, Molalla actually between Molalla and Canby and she working in a bank in Canby and he met her and they married and the rest is history. She graduated from Molalla high school twenty years to the day before I graduated from the same high school, Molalla High School. That's where I was raised was in the Molalla, a little town called Marquam just outside of Molalla and they were logging communities basically.

Jerry: You went to school in Marquam or you went to school in Canby?

Dave: I went to, actually I went to grade school in Marquam, Butte Creek Grade School just outside of Marquam and I went to high school in Molalla and graduated from high school there. Don and I went to college then, to Oregon State and both of us majored in wildlife management. And the year that we went to college the folks moved to another town in the Klamath Valley called Amity and that's where they resided until my father passed away in '94 and my mother still has a place in Amity.

Jerry: That place that your folks had at that time must have been pretty rural?

Dave: In, in.

Jerry: When you were growing up?

Dave: Yeah we had five acres on a, on a road call, on a road called Wildcat Road that ran up in the foot hills of the Cascade Mountains between Marquam and Molalla and it was an agricultural and timberland.

Jerry: Okay. Were you a hunter and fisherman at that time?

Dave: All the time. That's, that's...

Jerry: You and your brother and your other siblings?

Dave: Yeas we would, we didn't have many guns; dad couldn't afford many guns but we all had fishing rods and I would leave in the mornings sometimes and fish all day on the local, rural streams and get back with maybe a half of dozen trout. It wasn't always a (inaudible) but we worked at it hard. And I got to really enjoy the outdoors, outdoors. We didn't do a lot hunting in distance cuz we just couldn't a, to this day I don't know how dad raised nine kids with one logging truck. I just don't know how he did it.

Jerry: (Inaudible) must be I would presuppose your mother was a, was an in home person didn't have a career for her, she didn't.

Dave: No, she sold a lot of our cloths, she raised chickens; we raised several hundred chickens each year and harvest them. We had a milk cow and that was our duty to, so we had milk and butter you know from, the kids always had to milk the cows; I did a lot of that. In fact in high school I moved over on a dairy for awhile working a couple of years just milking cows on a diary to help make money to buy a car.

Jerry: That the only kind of job you had at the diary or did you?

Dave: No I picked strawberries; they had a lot of fruit. When we were young we'd pick strawberries and beans and I worked in a hop field picking hops and then when I got big enough we could harvest hay, (inaudible) bails on some of the farms. So I worked in

agriculture, I never worked in the woods with that. Some of my, a lot of my brothers became truck drivers and worked in woods or worked in saw mills, several of my brothers still work in saw mills in the valley but I didn't I worked in agriculture.

Jerry: Let's go back one minute. You said you were (inaudible) raised nine; seven of them were boys?

Dave: Yes, seven boys and two girls.

Jerry: Your poor mother.

Dave: Yeah, yeah. She, but she was sure protective; she was a good mother and to this day none of her kids can do anything wrong. We get a kick out of our, all of our wives and... get quite jealous because the boys can't do anything wrong; she always side with her sons you know even when they don't deserve being sided with, you know.

Jerry: Let's...let's talk about your college years, you say you and your brother both went, being twins, I guess you were in the same classes together? I mean did you have teacher problems or?

Dave: Not so much in college we, Don wanted to get out in three years so he took a lot of classes and he doubled up; he actually ended up getting sick and so he went about three and a half years but he graduated early and I actually went an extra year so we didn't, we had some classes together. But he graduated about six months early as I recall and took a job immediately with Idaho Fish and Game Department as a conservation officer. When I was in school I started working in fisheries and worked at a fish hatchery and (inaudible) salmon survey out of Coos Bay and then...

Jerry: The state of Oregon?

Dave: For the state Oregon, Oregon Game Commission at that time, they had a Fish Commission and Game Commission. And then when I graduated I took graduate courses and I took a job with the Research Division of the Oregon Game Commission but studying fish sea run cut throat in the Siuslaw River and the Alsea River, at that time they were game fish, sea run cuts.

Jerry: As I recall the distinction in Oregon at that time, the Fish Commission dealt with the commercial species and the Sport ones were under Game like trout and, and deer.

Dave: That's correct.

Jerry: Under Game Species.

Dave: And so I was a Fisheries Research Biologist but I worked for the Game Commission on Sport Fish. I did that for about a year and my wife; I was taking graduate classes at the time. And my wife became pregnant and we decided we need a little more permanent employment or more money and I, I took a job then in Idaho as a Conservation Officer where my brother was. And I always wanted to be a wildlife enforcement officer anyway that in deep down when I went to college was to be a Game Warden. And Idaho required a college degree back then in the late '60's, mid '60's actually. So that was the intent to go to college was to a, I would of stayed in Oregon but the Oregon State Police did the law enforcement in Oregon. And at that time in order to become a game officer with the Oregon State Police you were required to hire on as a traffic officer and chase headlights for a few years before you got a chance to get onto the, the game division and I, I just didn't want to do that.

Jerry: Let me step back for just a second here, I forgot to ask you when you retired Dave from the U.S. Fish and Wildlife Service what was your title; what was your job?

Dave: I was Special Agent in charge. Had two titles but same position, it was Special Agent in Charge or Assistant Regional Director for Law Enforcement. One was a management title and the other was the title for the...

Jerry: Okay.

Dave: ...on my, the career title on my job description.

Jerry: Okay. And when did you retire?

Dave: I retired in August of, of a 2001, from Portland, Oregon; I was a supervisor over at, the Region 1 Law Enforcement Program at that time.

Jerry: Okay, just wanted to get that in, forgot to ask that. This will transcriber, this will go back to the front. You mentioned that you all of a sudden ended up with a wife and pregnant. How did Florence come into the picture or when?

Dave: I met her in college, actually roomed with her older, one of her older brothers at a co-opt facility, off campus. And I guess I probably met her through, through him but I don't remember; she's from Lebanon, Oregon, her father owned a farm.

Jerry: And what was her maiden name?

Dave: Swanson.

Jerry: Florence Swanson.

Dave: Florence Swanson, she was actually born in North Dakota. She was born in Minnesota but her parents had a farm in North Dakota and the closest hospital was Breckenridge, Minnesota, which was of course across the state line. So she was born in Minnesota but she lived two years in North Dakota on the farm before they sold the farm.

They sold more than one farm cuz, brothers married the sisters and they sold two farms and moved to Oregon, Lebanon, Oregon area and that's where they.

Jerry: And you met her at Oregon State and then what was her major in then.

Dave: She was an English/Literature major. And actually she lacked a quarter, we were on quarters then, of getting her bachelors degree at Oregon State when we had the baby and moved to Idaho. So she didn't finish up at Oregon State and she actually didn't finish until years later and she got her bachelors degree in English/Literature at George Mason University in Virginia. She had to take about two full years because the time had passed and they didn't recognize all the Oregon State classes.

Jerry: What year are we talking about now? When did you go to, when did you graduate and go to Idaho?

Dave: I graduated in '67 and went, went right that year.

Jerry: Okay.

Dave: I actually would have graduated in '66 but I took advance classes and I, and my degree is '67; I moved in April of '67 during the school year to Idaho. Moved to northern Idaho, a mining district called Wallace, Idaho; Wallace and Kellogg were big silver mining areas and almost everybody either worked in the (inaudible) in the mines in that area. But we spent five years there had two more children there; we have three children, two of them were born in North Idaho. After five years we moved to a place called Weiser, Idaho, which is on the Snake River (inaudible) of Hell's Canyon. Worked about a year then and the state created a new position for two people, strictly investigative position and I was selected for one of those positions and moved to eastern Idaho and Idaho Falls and worked on just complex investigations and covert, it was the first covert unit.

Jerry: Okay, law enforcement investigations.

Dave: Yeah.

Jerry: As opposed to scientific wildlife management?

Dave: Law enforcement investigation for, for major wildlife violations in the state involving outfitter and guides and commercial use of wildlife, illegal commercial use of wildlife.

Jerry: How was the pay comparable at Idaho at that time?

Dave: *Terrible*, that's why I left. My twin brother, who had been a warden a year, a conservation officer a year before I was, he left after just three year because he literally couldn't pay his bills. We would, I started at five hundred dollars a month, before taxes, with a, they required a college degree. Well before taxes and even in Idaho at that time you just simply couldn't, if you had children it was very difficult to make a living unless your wife worked and neither of our wives worked because we had small children. And Don left after three years and went with the FBI. And of course the pay was just significantly better with the Bureau. I was in fact recruited at that time too to go with the Bureau but elected not to, I just loved the job and I stayed...

Jerry: The Idaho job.

Dave: The Idaho job, I just loved it! And I stayed for about 6 ½ years and struggled all the time and then I was approached by the U.S. Fish and Wildlife Service; I didn't approach them, they came to me and ask if I would be interested in becoming a U.S. Game Management Agent in Bellingham, Washington they had a vacancy that just came up. And I really didn't know but they talked me into sending in an application and the day I sent it in I had to, I went on an undercover hunt for 10 days in the Salmon River country, it was an illegal cold season hunt that I had already set up and they told, I had

about 10 days on that hunt and they told me when I came out I had to tell them whether, if I was offered the job I had to tell them that I would take it. And so I didn't have much time to think about it and I, obviously I jumped.

Jerry: Okay now we're all of a sudden transitioning from the state of Idaho as an undercover agent and you got an offer now in Bellingham and was this the beginning of our career?

Dave: Yes I started as a, as a U.S. Game Management Agent.

Jerry: What year was this?

Dave: 1973, October of 1973. And they were actually just transitioning from the U.S. Game Management Agent position to a Special Agent position. It was kind of, the U.S. Game Management Agent position had quite a few biological responsibilities. They had changed to the Division of Law Enforcement, that year, and changed the job to Special Agent, which would be primarily, totally enforcement. And we, we no longer did the, the biological...

Jerry: Which at that time what, consisted of duck banding and...?

Dave: Well they gone, during the summer they go on banding projects in Canada, agent would be gone for several weeks at a time banding ducks. We handled waterfowl depredation complaints. We, we did dove surveys, coo counts in the, in the spring of the year. There were other biological responsibilities, I didn't do any of them because it had just transferred over and I went into enforcement position and by the spring of that year they sent me to treasurer school in Washington, Special Agent Basic and I was issued a Special Agent badge in April of that year so I virtually did none of the biological.

Jerry: Who hired you Dave?

Dave: A gentlemen by the name of Al Misseldine. He was the Special Agent in charge in Portland, Oregon. And he was originally from Idaho and maybe that was the reason he was looking for an Idaho boy, I don't know but he was the one that...a fellow by the name Neil (*spelling, last name?*), who was a U.S. Game Management Agent in Boise, Idaho, he recommended me; I had worked with Neil a few times. He'd spent most of his career in Alaska but he had moved down to Boise. Shortly after I got hired Neil died, had a heart attack in the Snake River Canyon. He as down there working with some other agents and passed, he was only 49 years old. So I didn't get a chance to work with Neil very much because...

Jerry: What was your grade that they hired you in at for...?

Dave: I was hired as a GS 9, they generally hired a GS 7 at that time but I was actually hired as a GS 9. And the pay was *immediately* significantly better as a GS 9 we, in addition to our pay we got what we called the **AUO**, Administratively Uncontrolled Overtime, a flat payment of 25%.

Jerry: Plus you probably would have had the health benefits, the retirement bene...program.

Dave: The retirement was just *significantly* better. The health benefits...probably weren't, were somewhat comparable but the retirement program was just heads and shoulders over; I would still be working to get full retirement if I was an Idaho Game Conservation Officer. Because you had half of our retirement was social security and now you have to work 'til 67 to get full society security so I would still actually, if I wanted full retirement, still be working as a Conservation Officer. And I probably would have loved it if I could have raised the children and got them through college, I would have probably stayed there.

Jerry: The Bellingham office, was just a one-man office?

Dave: Just a one-man office, I worked under senior resident agent out of Olympia, Tumwater actually, Washington. But it was a brand new office, they had hired an agent there and he stayed three days, a California Game Warden, and he went up three days and said he made a bad mistake and just left. And so they had this brand new office with nobody and that was the urgency, they wanted somebody up there for the waterfowl season, which we did a lot of then. And so that's why I came in October was to...

Jerry: Okay so you were doing a lot of Puget Sound kind of work, hunting and fishing, both?

Dave: Mostly waterfowl work. I was only there two years and most of my work involved either waterfowl or the international border. We had just started our inspection program nationwide and there were a lot of the Endangered Species Act and CITES came along all of this, Green Mammal Protection act, all in '72 and '73. And I was hired in October in '73 and so we had the international border, we were starting to monitor the import of ivory; walrus ivory, endangered species products and so they wanted somebody up on the border there. And so my work involved this big waterfowl hunting area and the border, primarily.

Jerry: Where did you go after Bellingham?

Dave: In 1975 I moved down to Portland and I worked...

Jerry: Did you get a promotion out of that?

Dave: No. It was a kind of coming home. I was a Special Agent in Portland and I worked five years in Portland as a Special Agent. And from about '70, well actually I couldn't have worked five years because it was about '75 to about '79, so about four years.

Jerry: What was the focus of your job in Portland then?

Dave: The beginning of it, it was primarily waterfowl patrol on Sauvie Island and the river and they wanted an emphasis on waterfowl patrol and so it was migratory bird work, primarily. But then it branched out into a lot of the Lacey Act work on the Columbia River salmon. I did a lot of work on that and just a variety of work involving the Endangered Species Act; Portland eventually became a port of entry one of the only designated port of entries, I think there were 13 at that time in the nation. So people could legally bring in wildlife at the port of Portland and we didn't have inspectors at Portland at that time so I did the inspections too; I would go out and inspect shipments to see if there was prohibited items in them.

Jerry: Who was your boss at that time?

Dave: Coleman was...was my senior resident agent. And Larry Wills was the special agent in charge in Portland at the time. Larry Wills was the Special agent in charge and a fellow named Coleman was the senior resident agent out of Salem.

Jerry: And you supervised him?

Dave: No he supervised me.

Jerry: Oh he supervised you.

Dave: Yeah I was still an agent, the whole I was in Portland I was a field agent and just did field work and I spent almost a year on one case involving illegal harvested Spring Chinook out of the Columbia River. And the year before I left I primarily just worked on that case and it was a case involving; Spring Chinook were going down hill at the time and there was a lady who had quite a illegal operation called Mary Settler on the river and she developed a scheme to harvest these salmon all over the nation. She was a world member of the Yakima Indian Nation and she kind of used that as a cover for her

operation but it was outside of the scope of what the tribe authorized just, it was strictly...

Jerry: This is before the Judge Bolt then?

Dave: This was...this was after Bolt, Bolt was '6...

Jerry: After the Bolt decision.

Dave: After Bolt decision but before (unsure) decision. But what she did is that she had a lot of, she would buy fish from illegal fishermen on the river, they were gill netted Columbia River salmon. And she would take; she built a processing plant on the Columbia River at **Cress Trail Light** that's on the Bonneville Dam pool on the Washington side. And she had a house there but she built a big facility where she would actually box and ice these brand new fresh salmon the morning they would come in. They would truck them to the airport in Portland and put them on a plane and they were all marked as frozen seafood. One day an Oregon state trooper was doing something at the airport and he opened one of these boxes and they were unfrozen, fresh Spring Chinook salmon from the Columbia River, which is a; Spring Chinook was kind of an delicacy compared to the other Chinook. The summer runs, although they were bigger fish and the fall runs are not considered as good as delicacy as the spring runs; they were bright, fresh fish when they came into the river.

Jerry: But you spent a year on that case and then, and then were did you branch off to? Were you still a GS 9?

Dave: No when I came...

Jerry: You were still a field agent.

Dave: I was a GS 11 then.

Jerry: Okay.

Dave: Been promoted to an eleven but then I went directly to the Washington D.C. office as a desk officer where I oversaw a variety of federal laws. CITES was under my purview and I worked right in our head quarters office.

Jerry: And who was your supervisor there?

Dave: A fellow by the name K.C. Frederick was my direct supervisor. And our special agent in charge well actually the Chief was Clark Bavin.

Jerry: And what year was that then?

Dave: I moved there in 1979 to Washington and I stayed there until 1982.

Jerry: Okay, 1982 in Washington D.C. as a desk...

Dave: My title was desk, I was a special agent but my title was desk officer. And we just oversaw; we worked on major investigations with the field. And kind of a liaison between the Washington Office and our field agents at the time.

Jerry: Did that job lead you up to Congress at all on hearings or meeting the staff up there?

Dave: I tended a hearing before Congress; I sat in and listened to Supreme Court Cases involving Fish and Wildlife. It was a good learning experienced. I traveled; I traveled to several foreign countries on investigation doing follow up leads, mostly Central America and the Caribbean. And (inaudible) South America too. But it was very rewarding, educational.

Jerry: Okay when did you leave D.C. then?

Dave: In 1982 I moved to Twin Cities, Minnesota as the Assistant Special Agent in charge. And spent a couple years there.

Jerry: And then what grade would that job have been?

Dave: That would have been a 13 at the time, a GS 13. And then in 1985, actually it was the fall of '84, I was selected as a Special Agent in Charge for Portland and I moved here in January of '85 as a GS 14 Special Agent in Charge. And they had just combined the two Special, we had two Special Agents in Charge in the Region 1 at that time. One in Sacramento and one in Portland and they had just combined both of them under the Portland office and that was the position I was hired to take.

Jerry: And that was Scotty down in...

Dave: Actually it was a guy...Parrington, Dave Parrington.

Jerry: (Inaudible) Dave Parrington.

Dave: Was actually in Sacramento at the time, it was vacant...

Jerry: Did he keep his 14?

Dave: He was, he was actually a 13 because they hadn't promoted him, he was acting after the, Keith (unsure of last name) had left and come up to Portland for a year or so and they let Dave act until they did away with it, you know, completely. They were going to do away with the position so they didn't.

Jerry: Okay so you were the special agent in charge of the five western states plus the (inaudible), which included Hawaii and the crest territory of the Pacific?

Dave: That's correct.

Jerry: And you had offices in Honolulu and you had an office; did you have one in Guam too?

Dave: Yes we did have one in Guam; we did not have one in American Sonoma. We, we would send people there but we had an office in, in, on Guam and we still had Yap and Palau at that time but they, they went independent. Yap right away and then Palau was in three or four years. And then when I retired they had, they still had the Northern Mariana's and Guam and American Sonoma.

Jerry: Okay from your job here in Portland and what was the focus; what was the, what was the concern to the Fish and Wildlife Service at that time that would have a special agent that would attract the attention of the Special Agent in Charge?

Dave: Well we oversaw the Endangered Species Act, particularly import and export in commercial work on, illegal commercialization, endangered species became more and more and more important to us. And waterfowl enforcement, migratory bird enforcement became much less important.

Jerry: What were the endangered species items that you were, that attracted your attention? What were they trying to bring in or what were they doing?

Dave: Anything from (unsure) birds, pet parrots, had a big illegal trade across the Mexican border in pet parrots, ivory, all kinds of ivory, crocodilian leather, crocodiles, the trafficking of alligators although it came from this country sometimes they would, you know, go over seas for manufacturing and then come back as a handbag or something, sea turtle products.

Jerry: Okay.

Dave: Just, just a wide variety and then as time went by we became more involved in enforcing domestic endangered species regulations with the listing of the northern spotted owl and the marbled murrelet and, and several other species in California that had a *huge* impact on the environment or the development in habitat of these animals; desert tortoise. Board areas became impacted when we listed the spotted owl of course, their habitat was protected and that greater impacted logging and other activity in their, in their historic range. So there's a lot of conflicts and we had to work with between on going commercial use of areas and trying to protect the spotted owl or the endangered species.

Jerry: Okay organizationally then as a Special Agent in Charge or ARD as your, the other title. Who was the Regional Director at that time or who did you report to?

Dave: I reported to I think six Regional Directors. Originally it was Myshak.

Jerry: Dick Myshak.

Dave: Dick Myshak was the first Regional Director and then I believe it was Wallenstrom, no it was yeah Wallenstrom I think was next.

Jerry: You didn't (inaudible) Kahler Martinson?

Dave: Kahler was a Regional Director when I was a field officer. And when I left Portland to go to Washington, Kahler told me I could always have a job when I came back but then he left the Service. So I didn't get it but I did work for Kahler when I Portland; originally Kahler was the Regional Director. And he was the Regional Director when I got hired with the Fish and Wildlife Service in Bellingham; he was my Regional Director. And I became very close with Kahler, we, I...

Jerry: So over your career there's three of them right there, Wallenstrom you must, Myshak, Wallenstrom; Plenert had to get in there somewhere.

Dave: Yes Marv Plenert, Ann Badgley; these are just in Region 1. And I believe Dave Allen...

Jerry: Mike Spear.

Dave: Well Mike Spear, I'd forgotten Mike Spear and then I believe it was yeah it was Mike Spear then Ann Badgley and I believe Dave Allen was just a few weeks. I believe he came, replaced Ann just about the time I was leaving but I can't remember...

Jerry: Okay.

Dave: ...the scenario. If it was it was for weeks maybe even days.

Jerry: Okay as this, Portland. Okay in Portland at this time, with all these Regional Directors and during this period, how many offices or how many people were in the Law Enforcement Program?

Dave: At the peak I supervised about 130 people.

Jerry: Wow! In LE?

Dave: In Law Enforcement.

Jerry: That includes clerk, evidence, (inaudible, Dave starts speaking at same time).

Dave: That was everybody for the Region and in the early '90's we, the Service created a national forensics laboratory, wildlife forensics laboratory, just to work on wildlife crimes nationwide. A decision was made to put that under me and Congress had provided money for it kind of with the idea that it would, it would be built in Ashland, Oregon and because it was built in this Region somebody in the directorate made the

decision that rather than have, the Chief had always supervised the forensic, we had a forensics branch in our Washington office but not at lab, that when it became a lab they would put it under the Region. And so from the early '90's until about two years before I retired, I oversaw the building and the staffing and the development of that lab and ultimately when it was transferred back to Washington under the Chief it had a staff of thirty scientists, technicians and clerical personal, so thirty of those one hundred-thirty were associated with that forensics lab in Ashland.

Jerry: Okay. And the rest were field agents scattered out throughout the western United States?

Dave: About forty, forty-five were agents about thirty were uniformed wildlife inspectors stationed at the port of interest.

Jerry: Ported in San Francisco, L.A. and Portland.

Dave: Seattle.

Jerry: And Seattle.

Dave: There were; and San Diego and they would actually, you know, go through shipments and look for, for illegal wildlife items entering the country.

Jerry: Okay.

Dave: And then the remaining, of course, were my staff. We, we issued permits at that time, migratory bird permits and we had, we issued about 7,000 permits well I had a permit staff that, you know, dealt with that issue. And that eventually was transferred to migratory birds and (inaudible) but most of the time I was Special Agent in Charge, it was my responsibility to issue all migratory bird permits in the Region.

Jerry: What is a migratory bird permit?

Dave: It was a permit that allowed people to either possess or kill or capture protected migratory birds. And you weren't allowed...

Jerry: Out of season?

Dave: Yeah...

Jerry: (Inaudible) depredation.

Dave: Some depredation; many of them were college, you know, studies, students doing studies. People raising migratory birds for sale, ducks had to have a permit. So **the**, a whole variety of permits; research, depredation, captive breeding, falconry for falconers. I don't recall the permits now but I remember there were a lot of them and there was a, kind of a nasty job cuz there were a lot of appeals if permits were denied or revoked; it just took a lot of time.

Jerry: Okay (inaudible) you're getting up into your, well up into your career now. You've gone through the transition of just being a duck cop to, to being endangered species to now you're thrown in spotted owls and marbled murrelet. Is there, during that course of event, is there a notable case that stands out that really made a mark for the Fish and Wildlife Service pro or con?

Dave: There were a couple, there's a case that probably didn't, it didn't involve endanger species but it did a lot of good for the wildlife. In the '50's and '60's very exclusive waterfowl hunting clubs in southern California convinced the Service the allow them to put out bait and hunt waterfowl within a certain distance of that bait. And the concept was at that time, in Southern California, they had a lot of row crops and ducks, particularly widgeon were causing depredation on these row crops. And these very wealthy clubs, and I'm talking some of them had cost a million dollars to join some of

these hunting clubs; we're talking about *really* spacious facilities. They would convince the Service to allow them to put bait in a certain area to lure all these depredating ducks away from the farms and then, but still allow them to shoot duck coming to and from the bait. This is totally contrary to federal statute; did not allow any place in the nation except southern California shooting clubs and only the most elite hunted these clubs. I saw pictures of Presidents in the walls of some of these clubhouses, the clubhouses are quite, they have, you know, many of them have bars, wet bars and it was a very exclusive area. About my third or fourth year as Special Agent in Charge, I decided that this was just, just wasn't appropriate. There were no longer, the row crops were not a problem, there were no depredation issues down there; it became just a social issue. And we litigated that and it was a series of court decisions, a tremendous amount of political pressure on me personally and on the Regional Director, Mr. Myshak, to leave it alone. The people that hunted these clubs were, were not without contacts but if you visited one of these clubs it was just horrible. They would get these dump trucks that they would fill it with a scoop full of grain and pour them on a dike and many of these clubs had become catfish farms so there were just nothing but catfish ponds and they would pour all this grain on the dike between the ponds. And the ducks would just come in, it was, the ducks would start moving towards the feeding grounds as soon as the one sitting on the water would start swimming towards the bait site. As soon as they heard the tractor start up and putting the grain in the truck, way down at the farm operation, and by the time the truck started out of the dike these ducks were in a panic just swimming or flying as fast as they could to the feed site; they were so conditioned to the feed. And...

Jerry: Were there issues of over limits their shooting before or after hours or is that just minor stuff?

Dave: There may have been but...

Jerry: But it was a bigger issue was the baiting.

Dave: The bigger issue was the fact that....

Jerry: Hunting over baited.

Dave: It attracted all of the local ducks to these exclusive clubs. If you happened to not be a feeding club and you had a pond nearby...well, you know away from the feed, you didn't get any ducks. It was, it was only, I think it was twenty-five or thirty or these licensed feeding clubs, they were called. And the state licensed them and so the state also fought us. The state was, went and had people representing them at the litigation. And the fact of the matter, the federal courts ruled against them finally and said that this is just contrary to federal law, there's nothing in the law that allows a one year of litigation, we closed all of the; we eliminated all of the feeding clubs in southern California. Now it may have not have a great impact on the resource cuz ducks can reproduce pretty fast. But from a social and economic and just a fairness issue I thought it was a...

Jerry: Technical.

Dave: ...I thought it was the right thing to do and it was, it had been going on; other people had tried to stop it, some of my predecessors and it failed. We had made several runs at saying this just isn't right and it, it just; everything lined up, it wasn't me as an individual. It was just all of the stars were lined at that time and it got closed but it gave me a lot of satisfaction because of the; politically there were, there was a lot of pressure on me and it was very uncomfortable and on Mr. Myshak. He, he had a lot of pressure on him too and I have a lot of respect for the man for...

Jerry: Okay that was a kind of a success, did you have something that you'd wish you'd done or things that just, you couldn't get done or went belly up on you? Did have any...

Dave: Yeah I think the hardest thing was providing adequate protection for some endangered species particularly the spotted owl.

Jerry: Well lack of resource, human resources?

Dave: I think that and lack, a lot or lack of, of support in, in addressing violations. It's very difficult to show a take of endangered species when it, when the habitat is destroyed. If you'd go in to where there, in an area where there's a know nesting pair of spotted owls and you clear cut that, it's obvious that the owls are going to leave but it's very difficult to get the courts and to get...get everybody, the politicians and everybody, lined up to try to put a stop to that. And I think there was a, even after the spotted owl was listed and there's other species I'm using the spotted owl as an example, there were other species in California.

Jerry: You had seventeen, kit fox you had...

Dave: That, that, that...if anything, sometimes, it sped up the damage to the environment or to the habitat. People felt if they didn't get the trees down now they weren't going to be able to. And in areas I actually think logging increased, not on National Forest. I think in National Forest there's no question, particularly in the northwest, logging was curtailed but on private land and on state land, particularly in Oregon and Washington...we didn't do our job in trying to protect what was there at the time of the listing. I think if you go back and do a survey now of the habitat that's left on private land and on state land and compare it to what was there at the time of the listing you're going to be disappointed. I don't have any numerical data to support that statement.

Jerry: But you had a difficult time, well I won't put words in your mouth. How were your relationships with the state folks? I mean you saying that on private lands, the state of Oregon lands, on enforcement and the federal/state relationship, how would characterized that?

Dave: Well I think state officers did virtually *no* enforcement on the Endangered Species Act, in any of Washington and Oregon. I don't think, particularity for habitat, for habitat; taking as a result of habitat manipulation, they did virtually none.

Jerry: Okay.

Dave: They, they; primarily state officers...

Jerry: Resident species.

Dave: They, they did resident species but they very good if somebody shot an eagle or shot a spotted owl, they would work on that. But if somebody manipulated a, you know, cut down nest tree they just simply, they didn't feel their laws were strong enough to enforce it so we, we had a good close working relationship with all state wildlife agencies when it came to direct take. But not incidental take...

Jerry: Okay.

Dave: ...due to chemicals or...

Jerry: (Inaudible) guess I understand you're saying that as far as hunting waterfowl hunting regulations seasons and bags that you had good relationships with them there?

Dave: Yes, yes.

Jerry: What about the other agencies where you have shared responsibility at the federal level, a BIA had agents on fish. Did National Marine Fishery Service, did you have, deal much with those or?

Dave: Very spotty, very spotty. Not as much as we could, of course National Marine Fishery Service had, there was overlap on the Columbia River for instance. When they started listing some of the Columbia River runs as endangered, there were none when I first came there were no endangered Columbia River run. But National Marine Fishery Service was responsible for listing commercial species as endangered or not endangered.

And once they became endangered then they were the primary agency to enforce the, the Endangered Species Act and protect those salmon. Before they were listed we, under the Lacey Act, did the enforcement. So when I working on the Salmon River or the salmon on the Columbia River, it was under the Lacey Act, the Fish and Wildlife Service enforced the laws then. But as they got listed the National Marine Fishery Service did and we didn't have a real close relationship, they didn't have as many agents as we did. But they were pretty much **centered generally** around the big city.

Jerry: Like to get into kind of another kind of reflecting back. Is there one individual that was within the Fish and Wildlife Service or somewhere in your career that stands out as being the mentor or supporter of you that helped you along that somebody that just really...?

Dave: I had a lot good men. I guess I'll mention two. Clark Bavin, the Chief of Law Enforcement, change...changed the Division of Law Enforcement to, to its current; he was kind of, he was kind of the father of the Division in Law Enforcement. Before that we had a game management, we were with Animal Damage Control and Law Enforcement were together and I think it was Management Enforcement was the Division. And he actually, when he became Chief, developed the Division of Law Enforcement. And when I went into Washington and worked for him, he didn't have a good reputation in the field because he hadn't been a field agent very long, short time in Chicago and a lot of people, he was an attorney, a lot people felt he was a little too aggressive in his changes and, you know, particularly old school. I, I found him to be brilliant. I would just watch him come into a room and we would be trying to argue over a subject, trying to develop some kind of a plan or something and he could take a piece of chalk and go to the chalk board and in a matter of five minutes and say "Well why wouldn't this work?" And he'd just write a bunch of scribbles and we'd all look at each other like why couldn't any of us think of that. I would just, I was, I was very impressed with him. And then second was a Special Agent in Charge in Minnesota, when I was in Minnesota as the Assistant Special Agent in Charge I; I worked for a guy named Bob Hodgins. And Bob...

Jerry: **Hoches?**

Dave: Hodgins, Bob Hodgins, H O D G I N S. And Bob had, he had, was a political appointee originally under (inaudible) as a agent in charge of Minnesota and that's the only job he ever had with Fish and Wildlife Service was in Region 3, he was Special in Agent in Region 3. And he had, he was, had been the Director of the South Dakota Fish and Game Department for eight years. And Robert got a political appointee from being the Director to this position over Law Enforcement when the governorship changed he lost his job in Min, in, in South Dakota; as lots of state directors do. And he got a, kind of political appointed job, which he had to reapply for twice down through the years after he got it when they changed titles. But he always maintained his position and they always allowed him to in Minnesota and Robert was just a wonderful, wonderful human being; the most honest human being I think I've ever worked. He, **honesty** was everything to him and just being a good human being and he, he mentored me. He would come and he would say "What would you do Dave if this happened?" And he would explain something that happened to some agents in the field, where agents had been arrested for shoplifting or something. Something, you know, it would, and he would say, "Now this was one of your best agents. And that he was arrested for shoplifting and you called him and asked him about it and said, 'It was true, I did it. I don't know why I did it but I did it.' How would you handle it?" And then he'd make me answer that. And I would answer it as best I could and then he'd say "Well that would work." He always say "Well that would've probably worked. This is what I did." I've never had a supervisor that would take the time and explain it, always what he did was better then what I had, had purpose. *Always*, almost, his was more reasoned and he would explain why he did it that way and I never had a supervisor that did that. And Robert did that for me and then he talked down to me, we had seven or eight women in the office and he called me Junior, I was Junior. He was; Robert didn't come under the Law Enforcement retirement; at that time you had to retire at 55 if you were in the Special Agent position. But because Robert had been appointed to the position, into a supervisory position and not a field position, he was under regular government retirement he could never, he had

to work until he got enough time on to retire and so he was older than most agents. But he would call, our offices were right beside of the, we had a big central area where all the ladies worked and I was on the other side of the big office area and he was way on the other side and he didn't allow doors in office, he didn't think anybody should say anything in the office that you couldn't say in front of the ladies or anybody. And so he had our doors off and he would holler "JUNIOR." And I would have to get up from my desk and walk in front of all these ladies to go and see what he wanted. But I just, I just loved the man he was just such a, just a good person and taught me a lot about how you deal with people and how you treat people.

Jerry: Well that's (inaudible), that's good. Under your career, is there something that you did that stands out, you mentioned one was the duck club. Is there, is there another issue that just was exemplary that you just, that, that you either get satisfaction personally or you help advance the cause of the Fish and Wildlife Service other than the, the baiting clubs there in California?

Dave: Well I think the work they did for those eight or ten years establishing the forensics lab was **not** working. It took a lot of time, it took a lot of hard decisions because I wasn't a forensics expert and to try and determine what kind of staff you needed; it just took a lot of research on my part and I was very proud because the lab has been very successful and to my knowledge it still is.

Jerry: It's a world leader.

Dave: And it just took, it took a, a (inaudible) amount of time to hire the right people. I hired Ken Goddard, who is still the Director, as the Director of the lab. He was ahead of the forensics branch in our Washington office. And quite candidly when it was assigned to me I was given the responsibility of picking the first director. And Ken applied for it because he'd been working with the Service in forensics science, he was ahead of forensics division under Clark Bavin; Clark called me and told me not to select him. And Ken was difficult at times to deal with but he was a good man and that was a

decision I made to select Ken Goddard that, that had been very, that had been worth while and I'm not talking out of **school** because Ken knows that Clark recommended him not be selected as the director. Ken knew that; Ken and Clark didn't get along and that's too bad because they're both good men. Sometimes good people just don't mesh.

Jerry: Over your career as you reflect back now have you seen, what have seen the Fish and Wildlife Service, the changes in the Fish and Wildlife Service that you think are really exemplary that have been, that have benefited the conservation management of wildlife resources? Have you seen any trend...?

Dave: I'm gonna to say, I think the Endangered Species Program. Not in law enforcement I'm talking about just in the Service as a whole, there was no Endangered Species Program virtually when I started, you know. I think that the, the...the whole management, not only world wide with CITES but within the country, of trying to protect endangered species...had really changed the Fish and Wildlife Service. I'm very **obvious** **I'm** proud of the refuges, they continue to grow; I don't know how many refuges we have now **they're** well over 500 and they're a huge program, our hatcheries are still important. But I think that if you have to step back and look at what the changes in the Fish and Wildlife Service over the last 30 or 40 years I think the effort the Service has made to protect endangered species.

Jerry: What about the flip side of that, have you seen something that you thought was disastrous that the Fish and Wildlife Service moved to?

[Sounds like a break in the tape.]

Dave: I'm trying to think of something but I think we did terribly wrong and I guess, I guess I can't think of anything that was terribly wrong. I, I, I was very disappointed with politics I felt influenced our decisions at times on listing species or not or protecting habitat or on individual cases I really believe that there was some **(inaudible)** going on but **these are** on individual things, I don't think it was a massive collapse of the system.

Jerry: But politics was the...

Dave: Politics was very frustrating and to this day still frustrating, I read the paper where people get involved in our endangered species decisions and you know we don't have to go into them but a person recently stepped down in the Assistant Secretary because of alleged political influence and we had that too. We may not have had people stepping down but there was no question that the research and the documents that biologists put together in the field didn't always end up the way that they were, they were drafted and it was for political reasons.

Jerry: Any specific one that you find more aggravating than others, since this, it's water under the bridge now and it's also history.

Dave: No, I'd have, I'd have to go back there; at times there were frustrations, right at the time I would be frustrated but I can't think of, I can't think I one right, one in particular that I would bring up but I, I'm sure if I had time to think about I'd think of one specific situation that was.

Jerry: Okay don't (inaudible). Let's, you know one of things, there's always stories about careers or events of something you find that would exemplifies the kinds of people that were in Fish and Wildlife Service, some of them are humorous incidents or just stories to tell. And Law Enforcement has always got a reputation that you don't want to get into sitting around at a bar at night and playing 'Can you top this' with stories with and LE guy cuz you're gonna come out second best, but. But what memorable stories have you had in that, you know, about the Fish and Wildlife Service; relationships I mean either casework?

[Sounds like a break in tape]

Dave: I was always treated just wonderful with the Service.

Jerry: Okay I think that this is worth noting that you, you LOVE the Fish and Wildlife Service.

Dave: I love, I love my, I love the, they treated me wonderful; I love the Service but when I retired I just left. And as may know I don't go to retirement get togethers. But I done that all my life when I walk...

Jerry: (Inaudible) a lot of people, when we have a luncheon would like to see Dave.

Dave: I, I'm...

Jerry: I mean there's, we've got secretaries and clerks and all matter of people.

Dave: But the Service was just a wonderful place to work. I (inaudible) they're all dedicated they kind of had a common background; a lot of the people did but I just, I just enjoyed it a great deal. You could have, you know, work with everybody (inaudible); Dale Hall our director now, the Service's Director, he's hunted with his boy on my mom's property. We've gone up and deer hunted together...

[End of side 1, start side 2]

Dave: ...when he, when he was stationed out here we would just, we were kind of a family. And there...a lot of examples that you could give of where people in the Service, at all levels, people who became Director down to people who just stayed in one place all the time were, were part of the family. And I still think of Dale they didn't, him and his boy didn't shoot a deer, a buck that ran by them, they thought it was a dog; we had black tail deer out here that are quite small. And they saw this deer running by and they thought it was a dog until they saw antlers and then it was too late. Of course I had to jump them and say, you know, it's hard to see deer (inaudible).

Jerry: I bet you were really sympathetic.

Dave: No I wasn't sympathetic. I sometimes can be hard to deal with but.

[Break in tape]

Dave: They do have annual meetings around the nation, they've had them I think in Reno was as close as they've had them here. But no I don't, I don't, I've never attended. I've never attended those; I've talked to people and I'm on the email list so I get emails about them.

[Interference in tape]

Jerry: Dave one of the things since you retired, I understand that you have a fishing tournament...

Dave: Well I...

Jerry: ...that you are the chairmen and the sole rules committee?

Dave: Yes we have a rules committee. I set up a tournament after I retired and it's kind of a way to keep in touch with people who I work with or worked for me with the Fish and Wildlife Service and with the Idaho Fish and Game Department and with the Oregon State Police. We fish the Snake River (inaudible) Hell's Canyon there's a series of reservoirs; Hell's Canyon Reservoir and a couple others. We fish there every year in the spring, have a three or four day tournament. There is a rules committee and the chairmen of the rules committee; right now those (inaudible) can be used unanimously because we only have the one member of the committee. In fact this is about the ninth year the tournament and we've only had one member of the rules committee so far and that has been me, it's, there's a little contention about it but it worked fine.

Jerry: But it's your tournament.

Dave: It's my tournament so it's called The Old Timers, Snake River Old Timers Tournament because everybody retired. We have one agent that's 80 years old now that fishes in the tournament. He's going to, he's, in fact him and his partner are going to be punished this year for planting banana's on my boat last year, they've denied it, swear they didn't do it but obviously they; the evidence isn't clear but it's clear enough to punish 'em.

Jerry: And what's wrong with bananas?

Dave: Well they bring bad luck to the boat. And even if, even if they didn't do it I'm going to, I think I'll dock them a fish and if anything happens this year I'm going to suspend them from the tournament. They may not have done it but it'll be a cleaner tournament without them anyway because I think that, you know, they're out to do something if they haven't. Almost everybody, I think, tries to cheat; we found rocks in the boat. I personally have only participated in a couple small infractions, **when one if** fairly major we actually pulled the boat out of the water and went to another reservoir. We thought the fishing would be better during the and then came back, put the water in, put the boat back in the reservoir we were suppose to be fishing. But we lost that year so it didn't help us and then one time we were taking our boat out of the water and we hadn't had a very good day, we had some fish but they weren't real big. And floating right there at the dock was a great big bass that somebody had decided to turn loose but it hadn't made it but it was fresh, you could look at it and tell it hadn't, hadn't been dead very long. And I'm not going to lie we netted it and put it in the live well and we lost that year too. But it wasn't because we didn't try, you know. We just have a good, getting together with all these old guys and we just, we tell stories and, and there's a big trophy and we all act like it's important and we fish hard but it has nothing to do with fishing.

Jerry: Okay. And there's a six fish limit in your boats?

Dave: We're allowed to weigh in six, six fish maximum, which is half of the bass limit, there's a limit on small mouth; these are small mouth bass. Although we, we've weighed some large mouth too, you can weigh in large mouth bass, small mouth bass or crappie if you can't, caught any bass you can catch a big crappie. A couple of years we've had guys weigh in 14, 15 inch crappie that weighed more than a 12 inch bass so they actually threw a crappie in the weigh but it's, it's a lot of fun.

Jerry: And where do these people come from now? You say...

Dave: Well we, right we have a, the farthest anybody comes from is Alabama; we've had them come from Virginia, several people come from California and Washington and Idaho. We've had in the past people come from Hawaii but now it's primarily just Alabama, Washington, Idaho, California and Oregon.

Jerry: And this is by invite only?

Dave: By invite only, yeah. And we, we would get, actually it kind of got a reputation and the people want to come, other retiree's but we kind of want to keep it down to where we can all talk and crowd into one room and at night, one motel room or something and still talk. So we try to keep it to maybe no more than 15 people and that's I think the most we've, we've had is about 12 to 15. But every year, we added a team this year so we're going to have two more men, two more fishermen.

Jerry: Anything else you want to add to this oral history, Dave, I think we're kind of wind things up. Anything that you want to reflect on?

Dave: No, not for the record. You know talk about not going back, I've gone to the LE Office twice since I retired. And I just, and the LE Office now has moved I understand. It's right down the road from me.

Jerry: Yeah I, I don't know, Judy did you...

Dave: Yeah that's what; Marv was the first one told me, he was all upset about it and they were going to do it and then I talked to...

Jerry: I know they moved the archaeologist office out there or was there...

Dave: Well no, they were, well they may have moved it but they had it out there for awhile over by the onion field and that farm there but this is a farm where it was actually the headquarters we had...

End of tape

